

## **Leaves of Absence**

Leaves of absence without pay must be granted by the appointing power, upon request of the employee, subject to the approval of the appointing authority and the mayor and the provisions of this section. Except in the case of military leave, the appointing power should exercise discretion in granting leaves of absence, taking into consideration good conduct, length of service, efficiency of the employee and the sufficiency of the reasons for requesting the leave.

### **A. Leaves of Absence Without Pay; Generally:**

1. A leave of absence without pay is an approved temporary absence from work in which the employee does not lose status as a regular employee. However, the employee's anniversary date (for purpose of performance evaluation and merit increase) and hire date (for purposes of vacation accumulation rates and seniority status) will be moved ahead by the number of working days between the time that the employee's name is removed from the payroll records and the day the employee returns from leave of absence.
2. Leave without pay may be considered for reasons of disability, personal reasons, or military service. To be eligible, employees must express in writing the proposed date the requested leave is to commence and the estimated date on which the employee expects to return to work.
3. An employee may petition the human resource director after receiving approval from the appropriate department/division head to take a leave without pay, without first using all sick and vacation hours. Approval will be handled on a case by case basis.

**B. Disability Leave Without Pay:** For the purpose of this chapter, "disability" is defined as an illness, physical or mental impairment, or pregnancy or complications related to pregnancy that prevents and employee from performing the essential functions of the job.

#### **1. Procedure:**

- a. Employee requests the leave as far in advance of the requested start date as possible;
- b. Employee must contact the supervisor prior to the scheduled expiration date of the leave giving the specific date which the employee plans to return to work. If the employee fails to return to work or receive approval for extended leave under policy guidelines, employment is automatically terminated as of the last day of the approved leave;
- c. The department head may request that the leave begin earlier than the date requested by the employee in order to ensure satisfactory performance of job duties.

2. Approval: Department heads may approve leave up to ten (10) days annually. The mayor and human resource director may approve leaves exceeding ten (10) days up to a maximum of one year based upon recommendation of the department head. Upon good cause shown, the mayor may extend any leave of absence without pay upon recommendation of the department head.

3. Position Guarantee: Employees taking a disability leave without pay will be guaranteed a position of like status and pay for a period of up to ninety (90) days from the last active day of work. For a leave exceeding ninety (90) days, the job guarantee will apply for the additional period of actual disability, and must be supported by a physician's statement.

4. Required Physician's Statement: The City reserves the right to require a physician's statement and/or medical examination by a physician of its choosing, at city expense, relating to the granting of disability leave, extension of disability leave, or return to work.

#### C. Personal Leave Without Pay:

1. Request Considerations: Eligible employee's requests for a leave of absence without pay for personal reasons will be considered on an individual basis at the city's discretion. The major factors to be considered are:

- a. The reason for the request;
- b. Length of service of the employee;
- c. Performance record of the employee;
- d. Probably extent of the leave.

2. Approval: Department heads may approve personal leave without pay for up to ten (10) days annually. The mayor and human resource director must approve such leaves exceeding ten (10) days, up to a maximum of one year. Upon good cause shows, the mayor may extend any leave of absence without pay upon recommendation of the department head.

3. Position Guarantee: There is no job guarantee for employees taking personal leave without pay. However, the city will make every effort to place employees if a suitable opening exists, funds are available, and if the employee contacts the supervisor two (2) to four (4) weeks prior to the expiration of the leave.

#### D. Benefits Status For All Leaves of Absence:

1. Time on leave is not considered time worked. Therefore, vacation and sick leave credits do not accrue while on a leave of absence without pay. The effect of military leave will be determined under the law in effect when the military leave is taken.

2. Life, medical and dental insurance coverage may be continued while on leave without pay if the employee pays the full premium except as otherwise provided by law. A check covering the amount of the total insurance premiums due for the expected time an employee is on leave should be made payable to the city.

3. If an employee elects to discontinue insurance coverage during leave of absence without pay, the employee must reapply for insurance upon return from leave. Coverage will become effective on the date of reemployment, and the returning employee will be subject to any preexisting condition insurance provisions which may then apply.